

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction: June 21, 2005
Public Hearing: July 12, 2005

CONTACT PERSON/PHONE: Christina Valles, 541-4930

DISTRICT(S) AFFECTED: 2

SUBJECT:

An Ordinance granting Special Permit No. Zon05-00031, to allow for a Planned Residential Development on Lots 405, 406, 423 And 424, Sunrise Acres Unit One, El Paso, El Paso County, Texas, pursuant to Section 20.12.040 (Zoning) of The El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of The El Paso Municipal Code. Applicant: Karma-JKS Properties, Inc. ZON05-00031 (District 2)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00031, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON LOTS 405, 406, 423 AND 424, SUNRISE ACRES UNIT ONE, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.12.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, Karma-JKS Properties, Inc. has applied for a Special Permit under Section 20.12.040 of the El Paso Municipal Code, to allow for a planned residential development;

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

WHEREAS, the City Council of the City of El Paso finds that, except to the extent waived by City Council, the application conforms to all requirements of Section 20.04.320.D of the El Paso Municipal Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in an **R-4 (Residential)** District:

*Parcel 1: Lots 405, 406, 423, and 424, Sunrise Acres Unit One,
El Paso, El Paso County, Texas*

2. That a planned residential development is authorized by Special Permit in **R-4 (Residential)** districts under Section 20.14.040 of the El Paso Municipal Code; and

3. That the requirements for a planned residential development under Section 20.12.040 have been satisfied; and

4. That the City Council hereby grants a Special Permit under Section 20.14.040 of the El Paso Municipal Code, to allow a planned residential development on the above-described property; and

5. That this Special Permit is issued subject to the development standards in the **R-4 (Residential)** district regulations and subject to the approved Site Development Plan, signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and incorporated herein by reference for all purposes; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued; and

7. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00031** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this _____ day of July, 2005.


THE CITY OF EL PASO

ATTEST:

John F. Cook, Mayor


Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



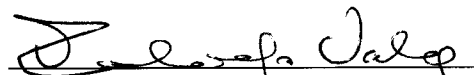
Matt Watson
Assistant City Attorney
Doc No. 12898

APPROVED AS TO CONTENT:



Christina Valles, Planner II
Planning, Research & Development
Department

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development
Department

AGREEMENT

Karma-JKS Properties, Inc., the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Site Development Plan and in accordance with the standards identified in the **R-4 (Residential)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this day of , 2005.

By: _____

(name/title)

ACKNOWLEDGMENT

[illegible]

This instrument is acknowledged before me on this _____ day of _____, 2005, by _____, as Applicant.

My Commission Expires:

Notary Public, State of Texas
Notary's Printed or Typed Name:

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DIRECTOR



**PLANNING, RESEARCH &
DEVELOPMENT DEPARTMENT**

June 13, 2005

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Christina Valles, Planner II

SUBJECT: ZON05-00031

The City Plan Commission (CPC), on May 19, 2005, voted **7 - 0** to recommend **APPROVAL** of this special permit request for parking reduction with the following modification:

Reduce the number of proposed lots from twenty-eight (28) to twenty-four (24).

The CPC found that this special permit request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit request is in the best interest, health, safety and welfare of the public in general.

A petition was submitted in **OPPOSITION** to this request by the neighboring property owners, several of whom were present at the CPC meeting.

Attachment: Location Map

STAFF REPORT

Special Use Permit #: ZON05-00031

Property Owner(s): Karma JKS Properties, Inc.

Applicant(s): Same

Representative(s): Jim Smith

Legal Description: Parcel 1: Lots 405 and 406 Sunrise Acres
Parcel 2: Lots 423 and 424 Sunrise Acres

Location: 8900 Block of Comet

Representative District: # 2

Area: Parcel 1: 1.90 acres
Parcel 2: 1.90 acres

Zoning: Parcel 1: R-4 (Residential)
Parcel 2: R-4 (Residential)

Existing Use: Parcel 1: Vacant
Parcel 2: Vacant

Proposed Use: Planned Residential Development

Interior lots: Reduced minimum lot area of 5,655 s.f.
Reduced lot depth of 87 feet.

Corner lots: Reduced minimum lot area of 5,134 s.f.
Reduced lot depth of 67 feet.

Recognized Neighborhood Associations Contacted: Northeast Civic Association,
Northeast Healthy Communities

Surrounding Land Uses:

North -	R-4 (Residential) / Single-family residential
South -	R-4 (Residential) / Single-family residential
East -	R-4 (Residential) / Single-family residential
West-	R-4 (Residential) / Single-family residential

Year 2025 Designation: Residential (Northeast Planning Area)

Special Use Permit: ZON05-00031

General Information:

The applicant is requesting a special permit to allow for a Planned Residential Development. The property is currently zoned R-4 (Residential). The site is currently vacant and is 3.8 acres in size. The proposed site plan shows 24 residential lots to be located on the site. Access is proposed via Comet and Leo Streets. There are no zoning conditions currently imposed on this property.

Information to the Commission:

The Planning Department has received six (6) calls expressing concern; two (2) calls in opposition and one (1) letter in opposition to this request. (Enclosure 2)

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends unanimous **Approval** of this special permit request.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the population.”

The Year 2025 Projected General Land Use Map for the Northeast Planning Area designates this property for Residential land uses.

R-4 (Residential) zoning permits Planned Residential Development by special permit.

The Commission must determine the following:

- A. Will the special permit for Planned Residential Development protect the best interest, health, safety and welfare of the public in general?

Information To The Applicant:

Building Permits and Inspections Department Notes:

No comments.

Engineering Department, Development Division Notes:

No objections.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns with the proposed set back requests.

Fire Department Notes:

No objections.

El Paso Water Utilities Notes:

No objections.

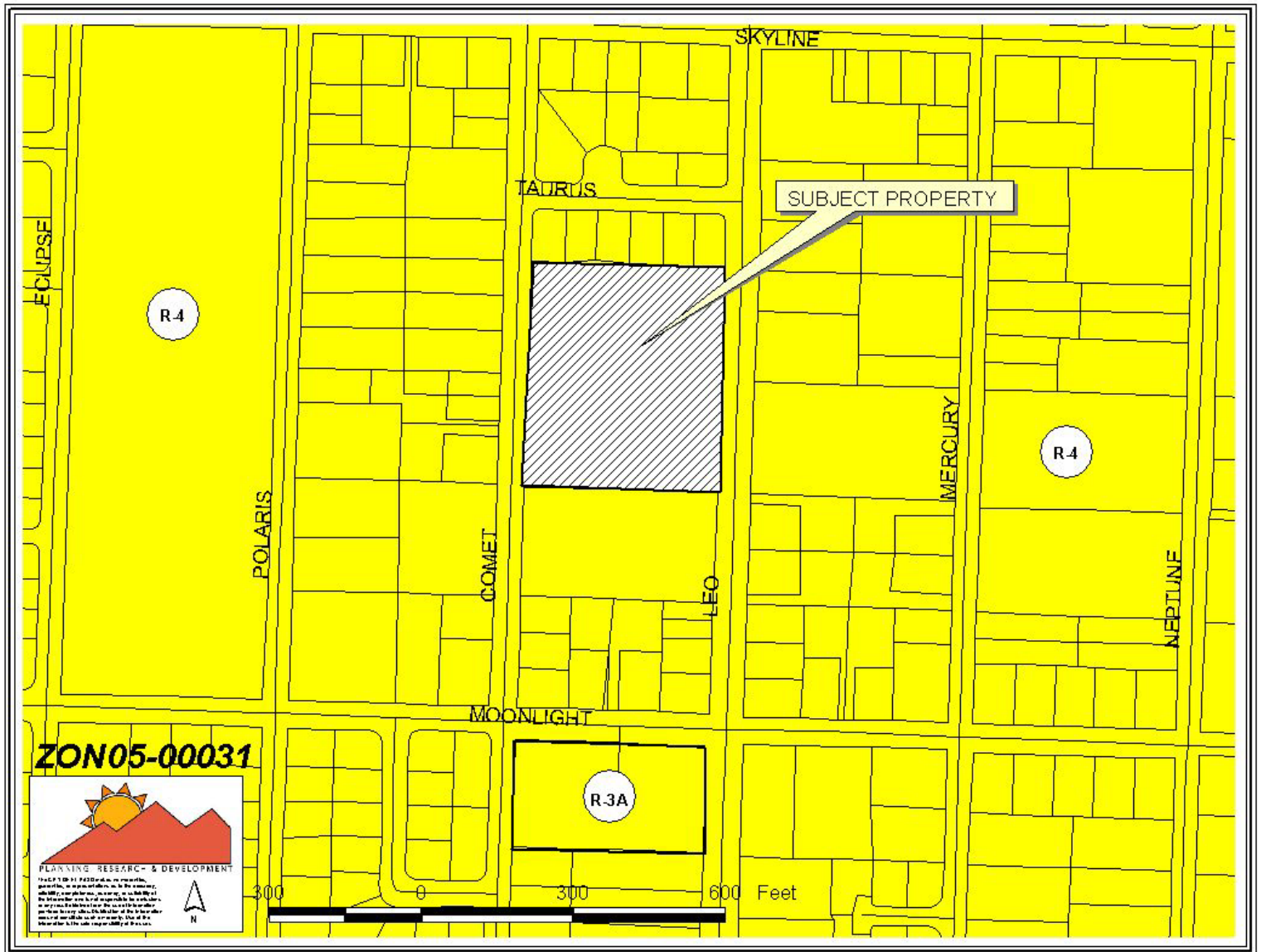
Planning, Research & Development Department Notes:

Recommend approval of the special permit request for a Planned Residential Development.

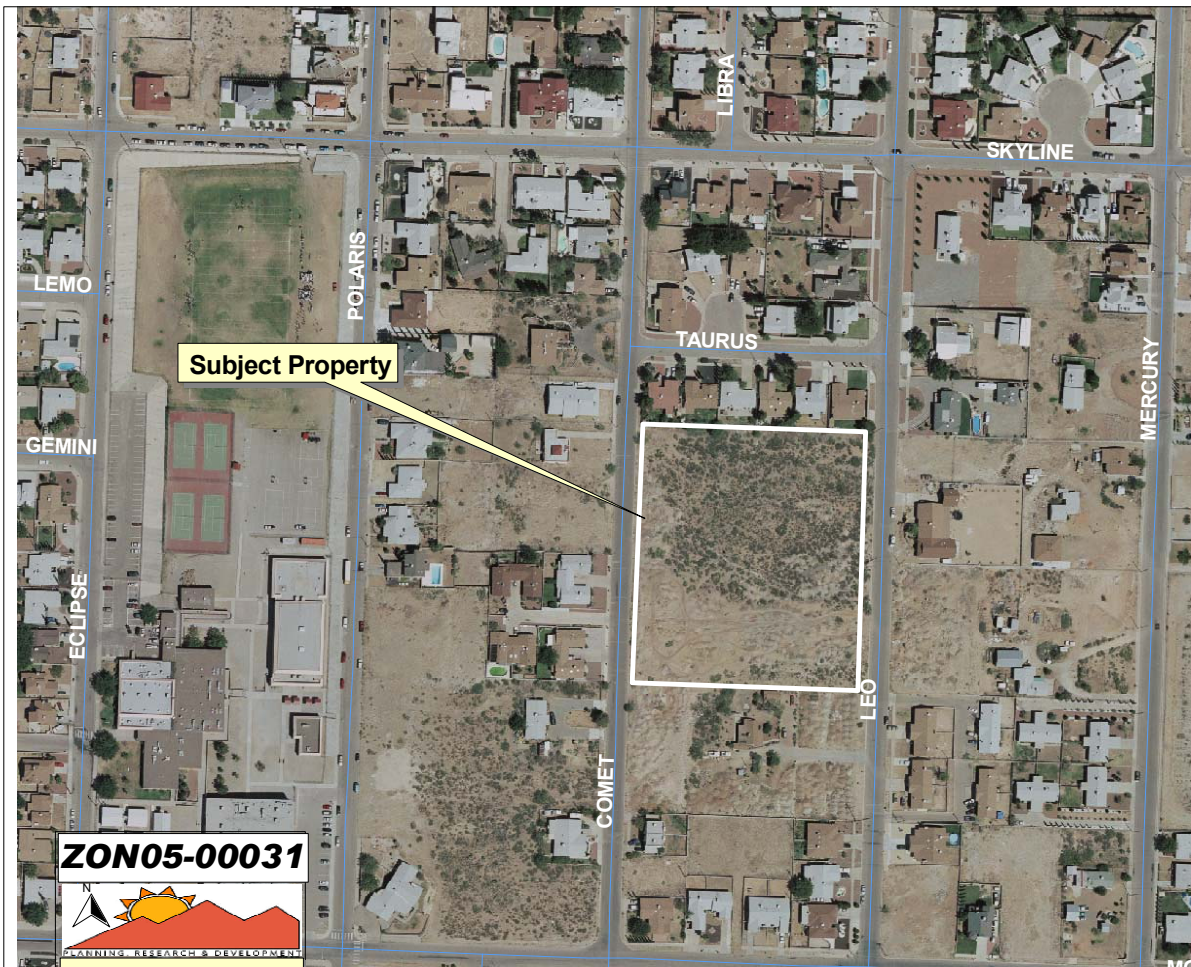
ATTACHMENT: Site Plan, Location Map.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT AT (915) 541-4056.

LOCATION MAP



AERIAL MAP



GENERALIZED PLOT PLAN

MOUNTAIN VILLAGE

